



Dkt. 60240/JPW/AJM/AJD

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Ilya Trakht et al.  
Serial No.: 09/664,958 Examiner: Larry R. Helms  
Filed: September 18, 2000 Group Art Unit: 1642  
For: NOVEL TUMOR-ASSOCIATED MARKER

1185 Avenue of the Americas  
New York, New York 10036  
June 28, 2005

Date of Notice  
of Allowance: July 14, 2004

Confirmation No.: 4881

Issue Fee Paid: October 14, 2004

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION AND  
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Applicants paid the issue fee for above-identified U.S. Serial No. 09/664,958 on October 14, 2004. In a Petition For Withdrawal From Issue Under 37 C.F.R. §1.313(c)(2) being filed herewith, applicants petition that U.S. Serial No. 09/664,958 be withdrawn from issue under 37 C.F.R. §1.313(c)(2) for consideration of a Request for Continued Examination ("RCE") in compliance with 37 C.F.R. §1.114 so that the references submitted with the Supplemental Information Disclosure Statement incorporated herein may be considered by the Patent Office.

**Supplemental Information Disclosure Statement**

Applicants are filing this Supplemental Information Disclosure Statement to supplement the Information Disclosure Statements filed on July 30, 2003, September 19, 2003 and November 12, 2003 in connection with the subject application.

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In accordance with their duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §1.97(b)(4), applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit 1**), and attached hereto as **Exhibits 2-4**:

1. European Patent Application No. 1 006 184 A, published June 7, 2000 (**Exhibit 2**);
2. Kirman I, Kalantarov GF, Lobel LI, Hibshoosh H, Estabrook A, Canfield R, Trakht I. (2002) Isolation of native human monoclonal autoantibodies to breast cancer. Hybrid Hybridomics 21(6): 405-414 (**Exhibit 3**); and
3. Kalantarov GF, Rudchenko SA, Lobel L, Trakht I. (2002) Development of a fusion partner cell line for efficient production of human monoclonal antibodies from peripheral blood lymphocytes. Hum Antibodies 11(3): 85-96 (**Exhibit 4**).

The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the enclosed Form PTO 1449.

Applicants note that the above-listed references were previously cited in a Supplementary Partial European Search Report issued April 27, 2005 in connection with European Patent Application No. 01973176.9-2401, a foreign counterpart of the subject application. A copy of the April 27, 2005 Supplementary Partial European Search Report is attached hereto as **Exhibit 5**.

Applicants also note that the first reference (WO 99/47929) cited in the April 27, 2005 European Search Report (**Exhibit 5**) is not listed above because this reference was previously made of record

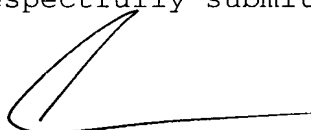
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in the subject application, having been cited to the Examiner in the Information Disclosure Statement filed July 30, 2003.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

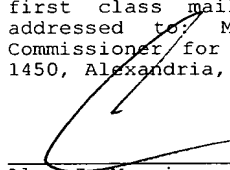
Pursuant to 37 C.F.R. §1.97(b)(4), no fee, other than the enclosed \$130.00 Petition fee and \$395.00 filing fee for an RCE, is deemed necessary in connection with the filing of this Communication and Supplemental Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop 313(c), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Alan J. Morrison  
Reg. No. 37,399

6/28/00  
Date



<b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	Application Number	09/664,958
	Filing Date	September 18, 2000
	First Named Inventor	Ilya Trakht
	Art Unit	1642
	Examiner Name	Larry R. Helms
	Attorney Docket No.	60240/JPW/AJM/AJD

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	2	EP 1 006 184 A	06-07-2000	F. Hoffmann-La Roche AG	

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3	KIRMAN I, KALANTAROV GF, LOBEL LI, HIBSHOOSH H, ESTABROOK A, CANFIELD R, TRAKHT I. (2002) Isolation of native human monoclonal autoantibodies to breast cancer. Hybrid Hybridomics 21(6): 405-414; and	
	4	KALANTAROV GF, RUDCHENKO SA, LOBEL L, Trakht I. (2002) Development of a fusion partner cell line for efficient production of human monoclonal antibodies from peripheral blood lymphocytes. Hum Antibodies 11(3): 85-96	

EXAMINER SIGNATURE	DATE CONSIDERED
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\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds of Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

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 Serial No.: 09/664,958  
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 Exhibit 1